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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/053,303	LEE ET AL.	
	Examiner	Art Unit	
	MICHAEL R. ZECHER	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The following is a second, non-final Office Action on the merits. The Amendment After Final/Arguments filed on December 29, 2008, has been entered. The Final Rejection entered on October 28, 2008, has been withdrawn. **Claims 1-21** are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 1-7** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, various "means for" are claimed, but there is no support for their corresponding structure in the specification, as required by § 112, 6th paragraph. The Examiner requests Applicant to either particularly point out the corresponding structures in the specification or remove the "means for" language.

Claims 2-7 depend from **claim 1** and are therefore rejected under the same rationale set forth above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent et al (U.S. 6,839,687), in view of Hilt et al. (U.S. 6,032,133), and further in view of Cahill et al. (U.S. 6,535,855).

As per claim 1, Dent et al. teaches a system for performing personal finance management using the internet, the system being connected to a bank server and plurality of electronic bill presentation and payment ("EBPP") servers over the internet, comprising:

"a processor operable to connect to a bank server and a plurality of EBPP servers over the internet (See figure 2, #30, which illustrates a computer with a processing unit);"

"means for managing and storing EBPP connected-related information related to said plurality of EBPP servers" (See figure 2, #32 & #34, which illustrates a computer with memory), "said means for managing and storing further for presenting a list of available EBPP servers that allow a user to collect billing information" (See figure 2, #48, and column 5, lines 57-67, which illustrates a bill management application capable of collecting billing information);

"means for collecting billing information data from each of the EBPP servers, said billing information data including an amount to be paid and payment due date" (See figure 1, #24 & #26, which illustrates distributing billing statements via a service center over a network);

"means for presenting a payment-schedule based on said bank account information data and said billing information data" (See figure 2, #48, subsections #52,

#54, and #56, specifically #54, which illustrates how paying bills will impact the consumer's cashflow);

"means for enabling the user to select how and when to pay the bills and forwarding said user's selection on the payment to the bank server for actual transaction" (See figure 2, #48, and column 5, line 57 through column 6, line 13, which illustrates and discusses how bills are managed, including enabling actual payment).

However, Dent et al. does not expressly disclose "means for automatically obtaining a user's bank account information data from the bank server via a connection to the bank server according to user preference setting."

Hilt et al. discloses an electronic bill payment system that allows users to pay requisite amounts to merchants (See abstract).

Both Dent et al. and Hilt et al. disclose systems and methods for bill presentment and payment. Hilt et al. expressly discloses a bill pay system where a user's bank account information is automatically obtained from a financial institution based upon a pre-authorization message (See figure 3, and column 9, lines 32-55, which illustrates and discusses automatically obtaining a user's financial information based upon pre-authorization). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to included automated retrieval of account information based on user preference settings as taught by Hilt et al. in order to combine automated retrieval of personal account information with personal finance management to quickly and efficiently pay bills.

The Dent et al. and Hilt et al. combination discloses the structural elements of the claimed invention, but fails to disclose "said means for managing and storing further for allowing the user to select at least one EBPP server from a list," "said means for collecting billing information operable to directly obtain the billing information in a pull mode," and "said means for collecting further connecting to said plurality of EBPP servers based on the EBPP connection-related information to collect said billing information from said plurality of EBPP servers."

Cahill et al. disclose banking services, particularly a method and system that provides virtually immediate, on-going interaction between a banking institution and its customers (See abstract).

Dent et al., Hilt et al., and Cahill et al. disclose systems and methods for presenting information, including billing information. Cahill et al. teaches how a user can request information from an account database when needed (See column 4, line 59, through column 5, line 6, and column 36, lines 38-59, which discusses how the push active filter decision component requests data from account databases when needed; and, furthermore, client initiated requests); how it is old and well known in the art to pull information from a system, such as pulling a server at predetermined times for any information (See column 1, lines 34-52, column 2, lines 12-38, and column 52, lines 41-55, which discusses how pull refers to an operator requesting information from a system or server, including pulling a server at predetermined time for any information); and collecting or obtaining billing information from respective customer accounts, transaction histories, analytical data, and statistical data (See figure 1, and column 8, lines 20-33,

which discusses processing incoming transactions, such as money deposits, drafts, orders to pay bills, money transfers, letters of credit, and the like, obtained from customer's accounts, transactions histories, and derived analytical and statistical data). Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the Dent et al. and Hilt et al. combination to include a means for pulling information where a bill payer's computer is capable of obtaining billing information directly from a server containing respective accounts, transactions histories, and derived analytical and statistical data as taught by Cahill et al. in order to combine the know features of bill presentment and payment with a pull mode operation to achieve the predictable result of allowing a user to direct the pulling of personal/billing information from authorized databases.

As per claim 2, Dent et al. teaches that "user's selection on the payment can be an immediate account transfer, a reserved account transfer, and automatic account transfer or transfer cancellation of the amount to be paid, from the user's bank account" (See payment analyzer, figure 2, #56, which illustrates allowing selection of payment depending on the schedule chosen; specifically column 9 & 10, steps 1-6, which discusses viable options if the payment schedule results in a negative balance).

As per claim 3, Dent et al. teaches the "means for calculating and presenting an estimated account balance on the payment due date, in advance, assuming that said amount to be paid is transferred from the user's bank account on the payment due date" (See cashflow analyzer in figure 2, #54, and payment analyzer in figure 2, #56, which illustrates calculating and estimating account balance).

As per claim 4, Dent et al. teaches the "payment-schedule can be displayed on a daily basis, weekly basis, or monthly-basis" (See payment analyzer in figure 2, #56, and column 3, lines 24-30, which illustrates coordinating different payment schedules for a bill payment cycle (e.g. a month)).

As per claim 5, Dent et al. teaches a system and method for performing personal finance management using the internet (See consumer interface unit, figure 1, #28 (1-n), subsection cashflow analyzer, #24, #26, Figure 2, #48, subsections #52, #54, #56, which illustrates containing a user's bank account information, distributing billing statements via a service center over a network, determining how paying bills will impact the consumer's cashflow, and enabling a user to manage payment of electronic bills).

However, Dent et al. does not expressly disclose a "means for presenting the payment result received from the bank server to the user."

Hilt et al. expressly discloses a means for notifying the user of a payment result via a confirmation receipt (See Figure 2, #66, which illustrates a confirmation receipt sent to the consumer following the payment of a bill). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to include a means of notifying the user of an electronic bill pay method or system that the payment result was confirmed as taught by Hilt et al. in order to promptly notify a user of a bill payment system that a payment transaction has occurred (See figure 2, #66 and column 6, line 50, which illustrates and discusses the material passing among participants of an electronic bill pay system, including payment confirmation).

As per claim 6, Dent et al. teaches the means for collecting billing information data comprising (See Figure 1 #22 and #24, and column 4, line 54, which illustrates and discusses a biller computing unit):

"means for storing the billing information received from said each of the EBPP servers" (See figure 2 #48, and column 5, lines 57-67, bill management unit, which illustrates and discusses, respectively, bill handling and management functions, including receiving and storing billing information).

However, Dent et al. does not expressly disclose a "means for storing user identification information data for each of the EBPP servers."

Hilt et al. discloses information identifying a biller (See claims 2 & 3, which discuses information identifying a biller and how the information is compared to an account number table or a biller file to determine the biller's status). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to included storing information identifying a bill payer as taught by Hilt et al. in order to combine automated retrieval of personal account information with personal finance management to quickly and efficiently identify the appropriate bill payer with the correct bill.

The Dent et al. and Hilt et al. combination discloses the structural elements of the claimed invention, but fails to disclose a "means for requesting billing information data to each of the EBPP servers using said stored user identification information."

Cahill et al. teaches how user can request information from an account database when needed (See Figure 12, column 4, line 59, through column 5, line 6, column 36,

lines 38-59, column 11, lines 11-21, and claims 22 & 24, which illustrates and discusses how the push active filter decision component requests data from account databases when needed; client initiated requests; and associating the customer profiles with customer identification, business-unit-specific account numbers, or other indicatives). Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the Dent et al. and Hilt et al. combination to include a means for requesting billing information using the customer profile of a biller, including associated customer identification, as taught by Cahill et al. in order to verify that requested billing information correlates with the correct bill payer.

As per claim 7, which includes the "means for alerting the user when said estimated account balance is less than zero" (See cashflow analyzer in figure 2, #54, and payment analyzer in figure 2, #56, which illustrates calculating and estimating account balance; specifically column 9 & 10, steps 1-6, which discusses how the cashflow analyzer optimizes a payment schedule if the result is a negative balance).

Claims 8 recites equivalent limitations to claim 1 and is therefore rejected using the same art and rationale as set forth above.

Claims 9 & 16 recite the equivalent limitations in claim 2 and are therefore rejected using the same art and rationale as set forth above.

Claims 10 & 17 recite the equivalent limitations in claim 3 and are therefore rejected using the same art and rationale as set forth above.

Claims 11 & 18 recite the equivalent limitations in claim 4 and are therefore rejected using the same art and rationale as set forth above.

Claims 12 & 19 recite equivalent limitations in claim 5 and are therefore rejected using the same art and rationale as set forth above.

Claims 13 & 20 recite equivalent limitations in claim 6 and are therefore rejected using the same art and rationale as set forth above.

Claims 14 & 21 recite the equivalent limitations in claim 7 and are therefore rejected using the same art and rationale as set forth above.

As per claim 15, Dent et al. teaches a computer-program product in a computer readable medium for use in a data processing system for performing personal finance management using the internet, the computer program product comprising the program instructions for:

"managing and storing EBPP connected-related information related to said plurality of EBPP servers" (See figure 2, #32 & #34, which illustrates a computer with memory);

"presenting a list of available EBPP servers that allow a user to collect billing information" (See figure 2, #48, and column 5, lines 57-67, which illustrates a bill management application capable of collecting billing information);

"collecting billing information data from each of the EBPP servers, said billing information data including an amount to be paid and payment due date" (See figure 1, #24 & #26, which illustrates distributing billing statements via a service center over a network);

"presenting a payment-schedule based on said bank account information data and said billing information data" (See figure 2, #48, subsections #52, #54, and #56, specifically #54, which illustrates how paying bills will impact the consumer's cashflow);

"enabling the user to select how and when to pay the bills and forwarding said user's selection on the payment to the bank server for actual transaction" (See figure 2, #48, and column 5, line 57 through column 6, line 13, which illustrates and discusses how bills are managed, including enabling actual payment);

"analyzing said billing information data in terms of billing items" (See column 6, lines 1-13, which discusses a cashflow analyzer and payment analyzer that allows a user to assess items and analyze how payment impacts a consumer's cashflow); and

"providing a user's consumption pattern ratio graphic chart and consumption tendency variation chart" (See figures 6 & 7, and column 8, line 11, through column 9, line 25, which illustrates and discusses a calendar chart indicating a bill payment cycle).

However, Dent et al. does not expressly disclose "obtaining automatically a user's bank account information data from the bank server via a connection to the bank server according to user preference setting."

Hilt et al. expressly discloses a bill pay system where a user's bank account information is automatically obtained from a financial institution based upon a pre-authorization message (See figure 3, and column 9, lines 32-55, which illustrates and discusses automatically obtaining a user's financial information based upon pre-authorization). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to included automated retrieval

of account information based on user preference settings as taught by Hilt et al. in order to combine automated retrieval of personal account information with personal finance management to quickly and efficiently pay bills.

The Dent et al. and Hilt et al. combination discloses the structural elements of the claimed invention, but fails to disclose "allowing the user to select at least one EBPP server from a list," "directly obtain the billing information in a pull mode," and "connecting to said plurality of EBPP servers based on the EBPP connection-related information to collect said billing information from said plurality of EBPP servers."

Cahill et al. teaches how a user can request information from an account database when needed (See column 4, line 59, through column 5, line 6, and column 36, lines 38-59, which discusses how the push active filter decision component requests data from account databases when needed; and, furthermore, client initiated requests); how it is old and well known in the art to pull information from a system, such as pulling a server at predetermined times for any information (See column 1, lines 34-52, column 2, lines 12-38, and column 52, lines 41-55, which discusses how pull refers to an operator requesting information from a system or server, including pulling a server at predetermined time for any information); and collecting or obtaining billing information from respective customer accounts, transaction histories, analytical data, and statistical data (See figure 1, and column 8, lines 20-33, which discusses processing incoming transactions, such as money deposits, drafts, orders to pay bills, money transfers, letters of credit, and the like, obtained from customer's accounts, transactions histories, and derived analytical and statistical data). Therefore, it would have been obvious to

someone of ordinary skill in the art at the time the invention was made to modify the Dent et al. and Hilt et al. combination to include a means for pulling information where a bill payer's computer is capable of obtaining billing information directly from a server containing respective accounts, transactions histories, and derived analytical and statistical data as taught by Cahill et al. in order to combine the know features of bill presentment and payment with a pull mode operation to achieve the predictable result of allowing a user to direct the pulling of personal/billing information from authorized databases.

Response to Arguments

6. Applicant's arguments filed December 28, 2008, have been fully considered but they are not persuasive.

In the Remarks, Applicant argues in substance:

(a) Applicant has provided adequate disclosure for the corresponding structure to the means plus function recitations of **claims 1-7**.

In response to (a):

The Examiner respectfully disagrees with applicant's assertion. **Claims 1-7** contain means plus function limitations in which the disclosed structure is a computer, including individual computing modules or units, programmed to carry out an algorithm. However, the corresponding structure must include a specific algorithm disclosed in the specification. See Aristocrat Technologies, Inc. v. International Game Technology, 521 F.3d 1328, 1338, 86 USPQ2d 1235, 1243 (Fed. Cir. 2008). The Applicant refers to Figures 1 & 2 and paragraph 19, which discloses a personal finance management

system implemented on a personal computer, or data processing systems, such as small hand-held, portable computers. Because the specification lacks any specific algorithm in association with the personal computer or data processing systems, the structural components asserted in the specification are insufficient to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Additionally, Applicant directs the Examiner to paragraphs 26-31 of the published specification to describe the step-by-step process of the components shown in Figure 2 and expressly recited in independent claim 1. The Examiner acknowledges that this disclosure indicates a step-by-step process of performing “means for managing and storing,” “means for collecting billing information, “means for presenting a payment-schedule”, and a “means for enabling.” However, paragraphs 26-31 does not describe a specific step-by-step process for performing a "means of automatically obtaining a user’s bank account information data from the bank server via a connection to the bank server according to user preference setting." Therefore, because the specification lacks any step-by-step process for performing the claimed functions of “automatically obtaining a user's bank account information,” the structure asserted in the specification is insufficient to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Remington et al. (U.S. 6,968,319) discloses an electronic bill presentment and payment system will bill dispute capabilities.

Simpson et al. (U.S. 6,934,691) disclose a system and method for managing mail/bills through a central location.

Ganesan et al. (U.S. 6,856,974) discloses electronic bill presentment technique with enhanced biller control.

Schutzer (U.S. 6,292,789) disclose a method and system for bill presentment and payment.

Kolling et al. (U.S. 5,920,847) discloses an electronic bill pay system.

Antognini et al. (U.S. 2005/0033690) disclose a system and method for digital bill presentment and payment.

Antognini et al. (U.S. 2002/0023055) discloses a system and method for digital bill presentment and payment.

Hans et al. (U.S. 7,200,575) discloses managing access to digital content.

House et al. (U.S. 6,785,805) discloses a network-based configuration method for systems integration in test, measurement, and automation environments.

Dent et al. (U.S. 2005/0065883) discloses a consumer-based system and method for managing and paying electronic bill statements.

Sharma (U.S. 2004/0167853) discloses integrated systems for electronic bill presentment and payment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. ZECHER whose telephone number is

(571)270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art Unit 3691

/Michael R. Zecher/
Examiner, Art Unit 3691